IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.553 OF 2004

Bombay Gymkhana Ltd. & anr. ... Petitioners
v/s.
The Deputy Collector, (Entertainment Tax) & ors. ... ... Respondents

Mr.M.S. Doctor i/by M/s.Malvi Ranchoddas & Co. for petitioners.

Mr.A. Sayed, AGP for respondents.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATED : 3RD FEBRUARY 2005

P.C. :

1. Heard Mr.Doctor in support of this petition. The respondents have started the proceedings for assessment under the Bombay Entertainment Duty Act, 1923. The respondents may proceed with those proceedings. It will be open to the petitioners to challenge the order passed thereunder. The respondents will give a notice to the petitioners and will give them sufficient time to file a reply and will hear their officers personally. All the contentions raised here will be available, if required to be raised at a later point of time.

2. In view of what is stated above, Mr.Doctor does not press this petition. The petition is disposed of.

3. An order to be passed in the proceedings, if adverse to the petitioners, will not be acted for a period of three weeks thereafter.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)